

REMARKS

Claims 1-4 and 13 are pending in this present application. New claim 13 has been added in this reply. Claims 5-13 were previously canceled. Claim 1 is independent.

Claim Rejections – 35 U.S.C. § 102

Claims 1-4 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent 5-132173 (JP '173). This rejection is respectfully traversed.

JP '173 discloses, in Fig. 2, a sheet feeder 101 having a lever 9 rotatably supported by a sheet feeder roller shaft 1, and a pickup roller 7 rotatably supported by one end of the lever 9. By a rotation of the lever 9 about the shaft 1, the pickup roller 7 is adapted to move between a sheet feed position (corresponds to the “operating position” of the claimed invention of the present application), in which the roller 7 is in contact with a pile of sheets, and a standby position (corresponds to the “waiting position”), in which the roller 7 is positioned away from the pile of sheets.

As shown in Fig. 1, a spring 20 (corresponds to the “urging mechanism”) is provided between the lever 9 and a frame of a main apparatus (e.g., a copier). As stated in paragraph [0025], the spring 20 urges the pickup roller 7 towards the standby position away from the pile of sheets. In other words, the spring 20 constantly urges the roller 7 in a direction away from the pile of sheets.

Applicants respectfully submit that JP '173 does not disclose or suggest rotating the lever 9 to the “retracted position,” such that the lever 9 is retracted in a flank of a main apparatus.

Even assuming that the standby position corresponds to the “retracted position” of the present invention, the spring 20 of JP ‘173 constantly urges the feeding device and does not “urge the feeding device only when the feeding device is at the operating position and the waiting position.” Accordingly, JP ‘173 fails to disclose or suggest the “urging mechanism” as recited in claim 1.

Claims 2 and 3, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

Claim 4 is allowable at least for the similar reasons as stated in the foregoing with regard to claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claim

New claim 13, dependent on claim 1, is allowable at least for its dependency on claim 1.

A favorable determination by the Examiner and allowance of claim 13 is earnestly solicited.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.

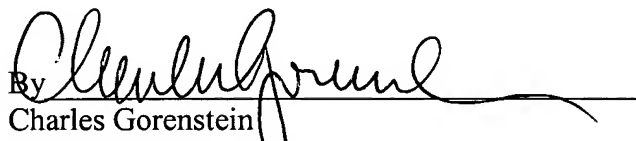
The Examiner is respectfully requested to enter this Reply After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Reply After Final in that it places the application in better form for Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (#40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: May 17, 2006

Respectfully submitted,

By 
Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant